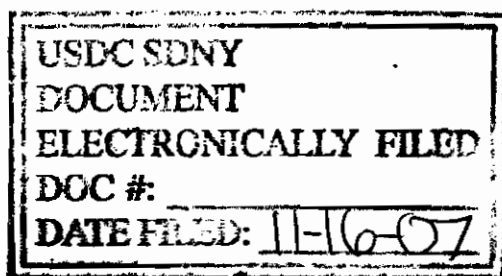


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November 14, 2007

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Tsz Chan Courtroom Clerk to
The Honorable Robert W. Sweet
United States District Judge
Southern District of New York
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street, Room 1920
New York, New York 10007

*Sponsored
Sweet v SDS
11-14-07*

**Re: Buena Vista Home Entertainment, Inc. et al.,
Appellants, v. Wachovia Bank, N.A., et al.,
Appellees, Case No. 07-CV-08423 (RWS)**

Dear Mr. Chan:

We represent Appellants in the above-referenced appeal of a memorandum order and judgment entered by the Honorable Stuart M. Bernstein, Chief United States Bankruptcy Judge of the Southern District of New York, granting defendants' motions to dismiss the complaint filed in the Bankruptcy Court.

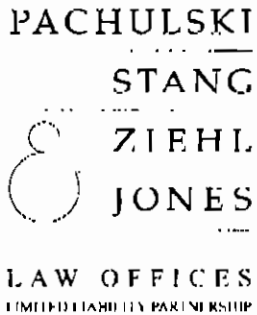
On October 11, 2007, prior to the date on which this appeal was assigned to Judge Sweet, Judge Marrero who was serving as the Part I Judge on that day, issued the attached order (the "Initial Scheduling Order") approving a briefing schedule that had been agreed upon by all parties. Specifically, the Initial Order approved a schedule whereby Appellants were to file their opening brief on November 2, 2007, Appellees are to file their brief on November 30, 2007 and Appellants' reply brief is to be filed on December 21, 2007. The parties have all been proceeding under the assumption that that schedule would remain in full force and effect.

On November 8, 2007, Judge Sweet also issued a scheduling order that set forth a different, significantly shorter briefing schedule. In light of the fact that the Initial Order reflected a

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The Honorable Robert W. Sweet
November 14, 2007
Page 2

schedule agreed upon by all parties and upon which all parties relied, we respectfully request that the Court permit the parties to revert to the schedule in the Initial Order. Counsel for the Appellees have authorized me to inform you that they support this request.

Respectfully submitted,

Beth E. Levine

BEL

cc: Richard Haddad, Esq. (by telecopier)
Frederick Lochbihler, Esq. (by telecopier)